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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 11 2005

In Re Application of: Troy Eric Echols  
(Echols 2 (121315))

Group Art Unit: 2663

Patent Application Serial No.: 09/659,363

Examiner: Chang, Richard

Filing Date: September 12, 2000

Docket No.: 013436.0234PTUS  
(Echols 2)For: System For Interconnecting Circuit-  
Based Terminal Devices With Packet-  
Based Terminal Devices In A Voice  
Communication Connection

Confirmation No.: 4841

Attachment to Paper No.: 4

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence, along with all papers referred to as being enclosed or attached, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner For Patents, P.O. Box 1480, Alexandria, VA 22313-1450.

October 7, 2004  
DateElaine C. VonSprackelsen  
Elaine C. VonSprackelsenMAIL STOP AMENDMENT  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

Sir:

## DECLARATION UNDER 37 C.F.R. §1.131

1. The undersigned inventor, Troy Eric Echols, participated in a development program at Lucent Technologies, having a mailing address of 600 Mountain Avenue, P.O. Box 636, Murray Hill, New Jersey 07974-0636. This development program produced the presently claimed invention.

2. Lucent Technologies employed Mr. Troy Eric Echols. Lucent Technologies is the assignee of the presently claimed invention.

3. I submit this declaration to show proof that I reduced the presently claimed invention to practice in the United States prior to March 2, 2000. This showing will remove United States Patent No. 6,353,660 ("Burger et al.") as a reference against the presently claimed invention.

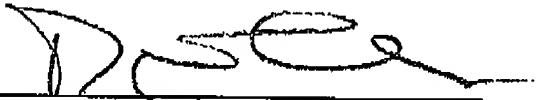
Serial No. 09/659,363  
Declaration Under 37CFR 1.131  
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4. Exhibit A to this Declaration is an internal Lucent Technologies memorandum that provides an overview of the invention. Exhibit A includes the structure that is now recited in claims 1 – 15.

5. The priority date of the cited Burger et al. patent is March 2, 2000. Exhibit A was prepared prior to March 2, 2000. Exhibit A shows a reduction to practice of the invention in the United States prior to the filing date of the Burger et al. patent. Thus, the Burger et al. patent should be removed from consideration against the presently-claimed invention because it is not prior art.

6. I further declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1/11/2004  
Date

  
Troy Eric Echols